

REMARKS

Claims 12, 17, 18, 20, 22, 24, 26, 28 and 30 are pending in this application. By this Amendment, claim 12 is amended to incorporate the features of originally filed claims 13 and 14. Claims 17 and 18 are amended to depend from claim 12. No new matter is added. Claims 13-16, 19, 21, 23, 25, 27, 29 and 31 are canceled without prejudice to, or disclaimer of, the subject matter recited in those claims. Reconsideration of the application based on the above amendments, the following remarks and the enclosed RCE is respectfully requested.

The Office Action rejects claims 12-31 under 35 U.S.C. §103(a) over U.S. Patent Publication No. 2003/0143370 to Noguchi in view of U.S. Patent No. 6,440,185 to Nagata and U.S. Patent No. 3,773,573 to Slykhouse, as allegedly evidenced by the "printouts" regarding the Matsumoto Microsphere F-series product data. This rejection is respectfully traversed

Amended claim 12 recites, among other features, "a resin of an outer shell of the foamed resin is constituted of a copolymer containing 60 wt% or more of acrylonitrile and 40 wt% or less of methyl methacrylate."

The Office Action admits that Noguchi and Nagata do not disclose the above-cited resin composition recited in Applicants' claim 14. The Office Action asserts that Slykhouse cures the deficiencies of Noguchi and Nagata by teaching this composition. The Office Action asserts that the reason one would combine Slykhouse with Noguchi is that Slykhouse teaches the predictable improvement of the distribution of discrete gas bubbles.

However, it would not have been obvious to combine Slykhouse and/or Nagata and Noguchi for at least two reasons. First, Slykhouse and Nagata are non-analogous art because they are in different fields of art and address different problems, as discussed below.

Slykhouse is directed to the field of explosives. In particular, Slykhouse is directed to the use of monocellular hollow particulars for "excellent reproducibility of desired densities

from one batch of explosives to the next, better sensitivity at higher densities, greater reductions in densities with less weight percent of particles and others."

Nagata is directed to the field of grinding wheels. Nagata addresses the problem that conventional resinoid grinding wheels have increased grinding resistance over the course of grinding, causing grinding burn. Nagata, at col. 1, lines 33-35.

In contrast, Noguchi addresses the problems of reduction of pressure loss and increased isostatic strength in honeycomb structure bodies. Noguchi, at paragraph [0010]. The problems addressed in Slykhouse and Nagata are unrelated to those addressed by Noguchi or Applicants. Explosives and grinding wheels are entirely different fields than diesel particulate filters and honeycomb structures.

One of ordinary skill in the art would not have looked to Slykhouse or Nagata in solving the problems confronted by Noguchi or Applicants nor would they have any motivation for doing so.

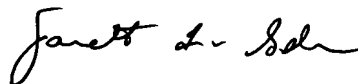
Second, the asserted motivation of predictable improvement of the distribution of discrete gas bubbles in explosives from Slykhouse is not applicable to Applicants' invention. Slykhouse, at col. 1, lines 56-64 merely discloses that discrete gas bubbles are desirable to ensure ready and full propagation and detonation of the explosive and efficient release of the explosion energy. However, there is no showing that the distribution of gas bubbles in explosives is even a problem in Noguchi or Applicants' specification. Thus, the identified motivation is misplaced. Further, it has not been shown that improving the distribution of gas bubbles would necessarily increase or improve the porosity in Noguchi, as alleged by the Office Action, because it does not necessarily increase the number of pores. Therefore, one of ordinary skill in the art would not have had reason to combine Slykhouse or Nagata with Noguchi, nor would have had a reasonable expectation of success in arriving at the claimed combination of features by doing so.

For at least the above reasons, the applied references do not disclose or render obvious the subject matter recited in claims 12, and claims 17, 18, 20, 22, 24, 26, 28 and 30 depending therefrom. Also, one of ordinary skill would not have had any reason to combine the teachings of the references, as asserted in the Office Action. Accordingly, withdrawal of the rejection of claims 12, 17, 18, 20, 22, 24, 26, 28 and 30 under 35 U.S.C. §103(a) is respectfully requested.

In view of the foregoing, it is respectfully submitted that this application is in condition for allowance. Favorable reconsideration and prompt allowance of claims 12, 17, 18, 20, 22, 24, 26, 28 and 30 are earnestly solicited.

Should the Examiner believe that anything further would be desirable in order to place this application in even better condition for allowance, the Examiner is invited to contact the undersigned at the telephone number set forth below.

Respectfully submitted,



James A. Oliff
Registration No. 27,075

Jarrett L. Silver
Registration No. 60,239

JAO:JZS/hs

Attachment:
Request for Continued Examination

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OLIFF & BERRIDGE, PLC
P.O. Box 320850
Alexandria, Virginia 22320-4850
Telephone: (703) 836-6400

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